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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,173	01/09/2007	Martin Saur	10191/4470	5224
26646 7590 06/20/2008 KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004				
			EXAMINER KIM, JOHN K	
			ART UNIT 2834	PAPER NUMBER
			MAIL DATE 06/20/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/572,173

## Applicant(s)

SAUR ET AL.

## Examiner

JOHN K. KIM

## Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 12-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-85/86)  
Paper No(s)/Mail Date 3/15/2006, 5/11/2007
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
  1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 12-14 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nitzsche (US 2007/0001522) in view of Keck (US 4851725).

As for claim 12, Nitzsche teaches (in Fig. 1) an electric motor system for an air conditioning (implicitly or intended use) fan [0012] of a motor vehicle [0013], comprising: an electric motor (12); a motor housing (1) for the electric

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motor (12), wherein the motor housing (1) includes a receiving opening into which the electric motor at least partially extends. Nitzsche, however, failed to teach or suggest at least one electrical connection element for supplying power to the electric motor; and an attachment unit for the at least one electrical connection element, wherein the at least one electrical connection element is attached to the electric motor. In the same field of endeavor, Keck teaches (in Figs. 4-9) at least one electrical connection element (40-42) for supplying power to the electric motor, and an attachment unit (78) for the at least one electrical connection element (40-42), wherein the at least one electrical connection element (40) is attached to the electric motor. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Keck with that of Nitzsche to minimize the possibility of faults resulting from unintentional misconnections. (col. 1, line 44- col. 2, line 4)

As for claim 13, Keck and Keck teach the claimed invention as applied to claim 12 above. Keck further teaches (in Figs. 4-9) at least one electrical connection element is attached to the electric motor, without the use of the (additional) attachment unit on the motor housing.

As for claim 14, Nitzsche and Keck teach the claimed invention as applied to claim 13 above. Keck further teaches (in Figs. 4-9) at least one

electrical connection element (40-42) includes a plug (42) and a plug receptacle (40), wherein the plug receptacle (40) is formed on the electric motor.

As for claim 16, Nitzsche and Keck teach the claimed invention as applied to claim 12 above. Keck further teaches (in Figs. 4-9) at least one electrical connection element (40-42) includes a plug (42) and a plug receptacle (40) for contacting the electric motor, and wherein the plug (42) is configured to be attached to the electric motor.

As for claim 17, Nitzsche and Keck teach the claimed invention as applied to claim 16 above. Keck further teaches (in Figs. 4-9) the plug (42) is configured to be latched (by 78) to the electric motor for secure contacting.

As for claim 18, Nitzsche and Keck teach the claimed invention as applied to claim 16 above. Keck further teaches (in Figs. 4-9) at least one electrical connection element (40-42) includes a plug (42) and a plug receptacle (40), wherein the plug (42) is configured to be latched (by 78) to the electric motor for secure contacting of the electric motor without using a separate latching system on the motor housing.

As for claim 19, Nitzsche and Keck teach the claimed invention as applied to claim 17 above. Keck further teaches (in Figs. 4-9) the plug (42) includes at least one spring-elastic latching element (90-92) for secure contacting.

As for claim 20, Nitzsche and Keck teach the claimed invention as applied to claim 18 above. Keck further teaches (in Figs. 4-9) the plug (42) includes at least one spring-elastic latching element (90-92) for secure contacting.

As for claim 21, Nitzsche and Keck teach the claimed invention as applied to claim 19 above. Keck further teaches (in Figs. 4-9) the plug (42) includes at least one spring-elastic latching element (90-92) for secure contacting.

4. Claims 15 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nitzsche (US 2007/0001522) in view of Keck (US 4851725) and in further view of Hama et al (US 2004/0201295).

As for claim 15, Nitzsche and Keck teach the claimed invention as applied to claim 14 above. References, however, failed to teach the plug receptacle is formed in an area of a bearing bracket of the electric motor. In the same field of endeavor, Hama teaches (in Fig. 5) the plug receptacle (47) is formed in an area of a bearing bracket (52) of the electric motor. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Hama with those of Nitzsche and Keck for optimal location for the terminal.

As for claim 23, Nitzsche and Keck teach the claimed invention as applied to claim 14 above. References, however, failed to teach the plug receptacle is

formed in an area of a bearing bracket of the electric motor. In the same field of endeavor, Hama teaches (in Fig. 5) the plug [0032] is configured to be latched to a bearing bracket (52) of a shaft of the electric motor. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Hama with those of Nitzsche and Keck for optimal location for the terminal.

As for claim 24, except claim dependency, claim 24 contains the same limitation as claim 23 and is rejected for the same reason set forth in connection with the rejection of claim 23 above.

5. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nitzsche (US 2007/0001522) in view of Keck (US 4851725) and in further view of Cha (US 7109618).

Nitzsche and Keck teach the claimed invention as applied to claim 20 above. References, however, failed to teach at least one spring-elastic latching element includes at least two latching hooks. In the same field of endeavor, Cha teaches (in Fig. 3) at least one spring-elastic latching element (63) includes at least two latching hooks. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Cha with those of Nitzsche and Keck to enhance the terminal secure.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN K. KIM whose telephone number is (571)270-5072. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-270-6072.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JK

/Darren Schuberg/  
Supervisory Patent Examiner, Art Unit 2834